



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

TM02/0312

JAMES J MURPHY  
5400 RENAISSANCE TOWER  
1201 ELM STREET  
DALLAS TX 75270-2199

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/067,640	04/27/98	047	HIPERS, G	216

First Named Applicant  
STALLAERT,

25 USC 154(b) term ext. = 0 days.

TITLE OF INVENTION AND METHOD THEREFOR  
APPARATUS FOR TRADING OF BUNDLED ASSETS INCLUDING BUNDLE SUBSTITUTION

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
2 18608-P001C1	705-037.000	1722	UTILITY	YES	\$620.00	05/27/01

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
  
- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.
  
- III. All communications regarding this application must give application number and batch number.  
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
  
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY

<b>Notice of Allowability</b>	Application No. <b>09/067,640</b>	Applicant(s) <b>Stallaert et al</b>
	Examiner <b>Geoffrey Akers</b>	Group Art Unit <b>2164</b>

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

This communication is responsive to 4/27/08.

The allowed claim(s) is/are 1-47.

The drawings filed on \_\_\_\_\_ are acceptable.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All    Some\*    None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.

including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_.

including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

#### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

Interview Summary, PTO-413

Examiner's Amendment/Comment

Examiner's Comment Regarding Requirement for Deposit of Biological Material

Examiner's Statement of Reasons for Allowance

Art Unit: 2164

### **DETAILED ACTION**

1. Claims 1-47 have been examined.
2. This action is responsive to Applicant's application filed 4/27/98. This application is a continuation-in-part of earlier Application No: 08/992,647 now US Patent No: 6,035,287 issued March 7, 2000.
3. No claims have been added. No claims have been deleted. No claims have been amended. Claims 1-47 are pending.

#### ***Allowable Subject Matter***

4. The instant invention relates to a novel system and method for trading asset bundles. An electronic data processing system executing a trade matching mechanism functions as a market intermediary and recombines assets from different market participants such that the requirements of participants seeking to acquire a particular asset are satisfied by participants seeking to dispose of the same asset.

The data processing system operates continuously and market participants can submit new trade orders or bundles or cancel open orders. Matches are sought continuously in real time. These bundles are defined in terms of their size, and a set of values representing the proportions of each of the asset sizes. Each bundle may contain a subset of assets which the market participant seeks to acquire and a subset of assets of which the market participant seeks to dispose. A market participant with more than one entered bundle may specify substantiability among the entered bundles by specifying portfolio constraints into the data processing system.

Art Unit: 2164

As bundles are entered, the data processing system matches trades among the plurality of all bundles. A numerical value is utilized which represents the allocation of a particular bundle to the matched trade. Finally, the proportion of each asset in a particular bundle that is committed to the exchange is represented by the proportion of the asset in the bundle multiplied by the allocation value assigned by the data processing system to the given bundle. The elements that are specified in the independent claims 1,27,37,41 that differentiate the invention over the prior art are:

(A)-applicant's concept utilizes a method to match a trade when there is a real market surplus of a given asset. Values are chosen by the data processing system so that the matching condition is satisfied. Valuations are represented by the proportions of each asset in each of the bundles forming the trade.

(B)-applicant's concept utilizes a data processing system which may be a distributed processing system in the bundle trading market. Applicant's apparatus addresses the problem of market fragmentation of assets. Additionally, applicant's invention encompasses assets which may be non-monetary in characteristics in which case the exchanges are barters, although currency exchanges are not precluded.

The present invention provides a method for hedging the acquisition or disposition of a portfolio of equities by offsetting transactions in futures, or options. These transactions take place in fragmented markets, because the nature of the assets is inherently different (derivatives/equities,etc). Because these assets are essentially decoupled, and trade in different

Art Unit: 2164

markets, trading them individually may lead to an overall loss due to the different volatilities of the different assets. In this way the present invention meets the need of a combined “bundle” of assets to mitigate the risk of loss arising as a consequence of the trading of decoupled assets in divergent markets. The cited prior art does not disclose limitations in the context of the claims as stated in the independent claims 1,27,37,41.

Prior art does not disclose trading in bundles of assets to mitigate market volatility and risk of loss. This art of record includes:

- Ferstenberg(US Pat. No:5,873,071) discloses a computer method for intermediated exchange of commodities
- Braddock(US Pat. No: 4,412,287) discloses an automated stock exchange
- Kalmus(US Pat. No: 4,674,044) discloses an automated securities trading system
- Silverman(US Pat. No: 5,077,665) discloses a distributed matching system
- Silverman(US Pat. No: 5,136,501) discloses an anonymous matching system

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid delays, should preferably accompany the issue fee. Such submission should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Art Unit: 2164

*Conclusion*

Any comments regarding this communication should be directed to the examiner, Dr. Geoffrey Akers, P.E. who can be reached at (703)-306-5844 between the hours of 6:30 AM and 5:00 PM Monday through Friday. If attempts to contact the examiner are unsuccessful, the examiner's supervisor, Mr. Vincent Millin, may be telephoned at (703)-308-1065.

GRA

March 6, 2001



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100